

## **Town Board Minutes**

December 4, 2017

Meeting No. 37

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 4<sup>th</sup> day of December 2017 at 7:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM, COUNCIL MEMBER  
DAWN GACZEWSKI, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
MATTHEW WALTER, COUNCIL MEMBER  
JOHANNA COLEMAN, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** DIANE TERRANOVA, TOWN CLERK  
KEVIN LOFTUS, TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
GERALD GILL, CHIEF OF POLICE  
MICHELLE BARBARO, PARK CREW CHIEF  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

### **PERSONS ADDRESSING TOWN BOARD:**

**Adelman, Aliesa**, spoke to the Town Board on the following matter:

- Concerns regarding safety while crossing Juniper and other streets in the Pleasant Meadows Subdivision.

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board  
held November 20, 2017 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Assistant to the Supervisor, to wit:

Claim No. 50645 to Claim No. 50759 Inclusive

Total amount hereby authorized to be paid: \$3,337,811.83

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
27672		Stephen Foster	49 Iroquois Ave	Er. Fence	(V/L)
27673		Design Works LLC	4920 William St	Re-Roof	
27674		Socius, LLC	37 Tranquility Trl	Inst. Solar Panels	
27675		Solcius, LLC	15 Caswell St	Inst. Solar Panels	(V/L)
27676		Socius, LLC	20 Schilling Ct	Inst. Solar Panels	
27677		Solcius, LLC	277 Enchanted Forest N	Inst. Solar Panels	
27678		Geoffrey Goodwin	44 Christen Ct	Inst. Generator	(V/L)
27679		Geoffrey Goodwin	5 Clermont Ct	Inst. Generator	
27680		The Kaz Company	29 Sussex Ln	Re-Roof	
27681		All Starr WNY Inc.	32 Fourth Ave	Er. Fence	(V/L)
27682		N.A.S. Sign Company	375 Harris Hill Rd	Er. Sign - Ground	
27683		Santoro Sign Inc.	4931 Transit Rd	Er. Sign - Wall	
27684		City Fence Inc.	22 Rehm Rd	Er. Fence	
27685		933 Ransom Road LLC	1202 Townline Rd	Er. Comm. Add./Alt.	
27686		Comfort Zone Heat	6 Lucia Ct	Inst. Generator	
27687		Jason Hejna	6 Magrum Ln	Er. Deck	
27688		Marrano/Marc Equity Corp.	15 Crabapple Ln	Er. Dwlg.-Sin.	
27689		House Crafters LLC	61 Livingston St	Re-Roof	(V/L)
27690		Freedom Solar LLC	43 Rose St	Inst. Solar Panels	
27691		Rickard General	5427 Broadway	Re-Roof	(V/L)
27692		The Gutter People of WNY Inc.	158 St Marys St	Re-Roof	(V/L)
27693		Zenner & Ritter Co. Inc.	49 Northwood Dr	Inst. Generator	
27694		Marion D. Smith	711 Ransom Rd	Er. Shed	
27695		William Lang	4 Middlebury Ln	Er. Shed	
27696		Richard T. Mata	00 Aurora St	Re-Roof	(V/L)
27697		Timothy McKillen, Jr.	5051 William St	Er. Shed	
27698		Village of Lancaster Comm Dev.	11W Main St	Er. Sign – Wall	(V/L)
27699		David & Susan Mack	136 Nathan's Trl	Er. Fence	
27700		George Pease	22 St Joseph St	Re-Roof	(V/L)
27701		TRS Heating & Air Conditioning	658 Pleasant View Dr	Inst. Generator	
27702		Plum Bottom Creek Properties	4W Main St	Dumpster - Temp.	(V/L)
27703		1847 Military Road	188 Siebert Rd	Er. Porch Cover	

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has held a public hearing on November 20, 2017, pursuant to Chapter 50-Zoning, Section 20 (B)(1)(h)(k) of the Code of the Town Lancaster, upon the application of Richard M. Blau, of **7-Eleven, Inc.**, for a Special Use Permit to operate a convenience store with gas station and car wash on premises located at 4949 Transit Road in the Town of Lancaster, Erie County, New York, and

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW, THEREFORE, BE IT RESOLVED**, that to Chapter 50-Zoning, Section 20 (B)(1)(h)(k), entitled “Commercial and Motor Service District (CMS)” of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Richard M. Blau, of **7-Eleven, Inc.**, to operate a convenience store with gas station and car wash on premises located at 4949 Transit Road in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

- 1. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before December 4, 2019.
- 2. Applicant will authorize representatives from the Building Inspector’s Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- 3. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS, Young Development, Inc., C/O Hopkins, Sorgi & Romanowski, PLLC**, 5500 Main Street, Suite 343, Williamsville, New York 14221, has petitioned the Town Board of the Town of the Town of Lancaster for the rezone of a parcel of land located at 00 Broadway (SBL No. 116.00-1-5.131), Lancaster, New York from a Residential District One (R-1) to Multifamily Residential District Three (MFR-3), and

**WHEREAS**, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and was approved at their August 16, 2017 meeting.

**NOW, THEREFORE**

**BE IT RESOLVED**, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18<sup>th</sup> day of December, 2017, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the local newspaper of general circulation in said Town and be on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

**LEGAL NOTICE**  
**REZONE-PUBLIC HEARING**  
**00 BROADWAY**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on December 4, 2017 the said Town Board will hold a Public Hearing on the 18<sup>th</sup> day of December, 2017 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a Residential District One (R-1) to Multifamily Residential District Three (MFR-3) for the property known as 00 Broadway (S.B.L. No. 116.00-1-5.131) within the Town of Lancaster, New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE TOWN  
OF LANCASTER**

**BY: DIANE M. TERRANOVA**  
**Town Clerk**

**December 7, 2017**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Summerfield Farms Subdivision Phase VI within the Town of Lancaster, and

**WHEREAS**, the Town Engineer by letter to the Town Clerk dated November 15, 2017 has inspected the improvements and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated November 17, 2017, has reported his favorable review for the acceptance of these public improvements.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that completed Public Improvements No. 767 – Pavement & Curbs, No. 768 – Storm Sewers, and No. 769 – Waterline within Summerfield Farms Subdivision Phase VI be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney is directed to attend to filing the deed causing the dedication of the roads to the Town of Lancaster.

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional one (1) fire hydrant authorized for this subdivision with the next billing cycle, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Town of Lancaster received a rezone and site plan application from Walden Acres LLC, proposing to rezone 00 Walden Avenue (SBL No. 94.17-1-49) from Residential Commercial Office (RCO) to Neighborhood Business (NB) and the proposed construction of a new building for a Child Care Center on a ± 2.46 acre parcel (the “Action”); and

**WHEREAS**, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

**WHEREAS**, the Town Board is an involved agency pursuant to SEQRA; and

**WHEREAS**, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

**WHEREAS**, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, the Town of Lancaster received a rezone and site plan application from TDB Properties LLC, proposing to rezone 00 Como Park Boulevard (SBL Nos. 115.01-2-13, 115.01-2-2.13, 115.10-1-1, 115.10-1-2 & 115.10-1-3) from Residential District Two (R-2) to Multifamily Residential District Three (MFR-3) and the proposed construction of six-unit attached townhomes on a ± .97 acre parcel (the “Action”); and

**WHEREAS**, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

**WHEREAS**, the Town Board is an involved agency pursuant to SEQRA; and

**WHEREAS**, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

**WHEREAS**, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, a Public Hearing was held on the 20<sup>th</sup> day of November, 2017 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

**WHEREAS**, a Notice of said Public Hearing was duly published and posted;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on December 4, 2017;
3. That a Certified Copy thereof be published in an official newspaper of general circulation on December 7, 2017;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law;
7. That a Certified Copy of this resolution be sent to the Lancaster Central School District Department of Transportation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

**NOTICE IS HEREBY GIVEN** that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, State of New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 46**

**ARTICLE X – Parking, Standing, and Stopping**

**46-14.** Parking time limited in designated locations; is hereby amended by adding thereto the following:

D. The parking of a vehicle is hereby prohibited in the following locations between the hours of 6:00 a.m. and 5:00 p.m. on school days:

**(2) Hidden Meadow Subdivision**

**(a) On the both sides of Hidden Meadow Crossing at lot 8 and 10.**

**(b) On the eastern terminus and within the turnaround.**

**December 7, 2017**

**STATE OF NEW YORK :  
COUNTY OF ERIE :  
OF LANCASTER :**

**THIS IS TO CERTIFY** that I, **DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 4<sup>th</sup> day of December, 2017 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Seal of said Town, this 4<sup>th</sup> day of December, 2017.

\_\_\_\_\_  
Diane M. Terranova, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Taco Cocina Transit, LLC, d/b/a Deep South Taco c/o Barclay Damon LLP, has submitted a site improvement plan prepared by Elizabeth A. Holmes, Esq., dated September 19, 2017, and received September 21, 2017, for the proposed modifications to a site plan previously approved on June 19, 2017 to create a Mexican Restaurant, located at 6727 Transit Road (SBL No. 82.03-1-63), in the Town of Lancaster, and

**WHEREAS**, the site improvement plan for this project was submitted to the Planning Board and was approved at their October 4, 2017 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review for the project on November 6, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on November 20, 2017 a Negative Declaration was issued.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site improvement plan submitted by the Taco Cocina Transit, LLC, d/b/a Deep South Taco c/o Barclay Damon LLP and prepared by Elizabeth A. Holmes, Esq., dated September 19, 2017, and received September 21, 2017, for the proposed modifications to a site plan previously approved on June 19, 2017 to create a Mexican Restaurant, located at 6727 Transit Road (SBL No. 82.03-1-63).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS, Donald Damato**, the owner of real property situate at 43 Greenmeadow Drive, Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Firearm Sales) in accordance with the provisions of Chapter 50-Zoning, Section 17-Supplementary regulations for all residential districts (F)(1) “Home Occupations” of the Code of the Town of Lancaster.

**NOW THEREFORE, BE IT  
RESOLVED, as follows:**

That pursuant to Chapter 50-Zoning, Section 17(F)(1), entitled Zoning, Supplementary regulations for all residential districts, Home Occupations, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (Firearm Sales) on premises locally known as 43 Greenmeadow Drive, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York , on the 18<sup>th</sup> day of December 2017 at 7:15 o’clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER  
SPECIAL USE PERMIT – DAMATO**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in 50-17(F)(1) Zoning, Supplementary regulations for all residential districts, Home Occupations of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4<sup>th</sup> day of December, 2017 the Town Board will hold a Public Hearing on the 18<sup>th</sup> day of December, 2017 at 7:15 o’clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Donald Damato**, for a Special Use Permit for a Home Occupation (Firearm Sales) on premises locally known as 43 Greenmeadow Drive, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY:           DIANE M. TERRANOVA  
                  Town Clerk**

December 7, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, on September 5, 2017, the Town Board duly advertised for proposals from energy supply companies (“ESCOs”) to provide electricity and natural gas for Town-owned facilities; and

**WHEREAS**, the request for proposals were issued to six (6) ESCOs, only two (2) proposals were received by the required due date of October 18, 2017; and

**WHEREAS**, the two proposals were reviewed thereafter by the Town Engineer and the Town Board; and

**WHEREAS**, by letter dated November 15, 2017 the Town Engineer has recommended that the Town Board reject all proposals as non-responsive as neither of them provided complete information required by the Town in its “Request for Proposals”; and

**WHEREAS**, the Town’s current energy supplier, School and Municipal Energy Cooperative of Western New York (SMEC), a “not for-profit” cooperative is authorized under Article 5G of NYS General Municipal Law (Shared Services); and

**WHEREAS**, Shared Services Legislation was enacted into law in New York State this fiscal year and all towns and villages are required by law to participate in shared services such as SMEC; and

**WHEREAS**, SMEC purchases energy on behalf of the cooperative then sells it to its members at no up-charge, thereby having saved the Town \$43,951 for electric and \$16,965 for gas over the previous five year period; and

**WHEREAS**, the Town Board, after due review and consideration has determined to execute its right reserved in the documents, to reject all proposals received from ESCOs to provide electricity and natural gas for Town-owned facilities.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby rejects all proposals received to provide electricity and natural gas for Town-owned facilities, pursuant to the rights reserved to the Town in the documents and directs the Clerk to so advise the energy supply companies (“ESCOs”).

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	NO
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, Paul Marinaccio, owner of PM Peppermint, Inc., 5636 Transit Road, Depew, New York 14043 has applied for a Dumping Permit for property situated on 31 Peppermint Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review of this application and by letter November 28, 2017 the Building Inspector made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Paul Marinaccio, owner of PM Peppermint, Inc., 5636 Transit Road, Depew, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on 31 Peppermint Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

**BE IT FURTHER**

**RESOLVED**, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Fill area shall be graded and seeded upon completion of filling.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.
8. No signage for dumping allowed.
9. The source of fill will be from various projects to be completed by Accadia Site Contracting, Inc.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, the current version of the permit is set to expire on March 7, 2018.

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **will expire on March 8, 2019, one year from its current expiration date.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAM	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated November 27, 2017, has requested an adjustment to the rate of pay due to the minimum wage increase for the following individual(s), for the Parks, Recreation & Forestry Department.

Brandon Becker  
Karl Schurkus  
Stephen Klein  
Willard Hunter

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the rate of pay for the following individual(s) be adjusted from \$10.00 per hour to \$12.00 per hour, effective December 4, 2017, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated November 27, 2017, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Anthony Guarino (rehire) Lancaster, NY	Recreation Attendant	\$12.00	December 4, 2017

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept work completed under Sidewalks Public Improvement within The Hidden Pines Subdivision, Phase 2, within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Sidewalks Public Improvement within The Hidden Pines Subdivision, Phase 2, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 714 - Sidewalks

and,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

File: RPIP (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town of Lancaster Dog Control Office, is in need of updating its current Animal Control System Program as it inadequately serves the needs and duties of the Dog Control Officers due to its outdated design and communication management, and

**WHEREAS**, Jean Karn, Overseeing Dog Control Officer, requested that Business Automation Services, Inc., provide the Town with a quotation to perform and provide professional services for the configuration, installation and training of personnel for a new Animal Control System Program as outlined in their quote, dated September, 2017, and

**WHEREAS**, the above-referenced quote, which included a letter of agreement, has been duly reviewed and approved by the Town Attorney, and

**WHEREAS**, the Town Board deems it in the public interest to move forward with the engagement of Business Automation Services, Inc., to provide the professional services necessary for the implementation of an updated Animal Control System Program for use by Town of Lancaster’s Dog Control Office.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the letter of agreement between the Town of Lancaster and Business Automation Services, Inc., 661 Plank Road, Clifton Park, New York, 12065 to provide Professional Configuration, Installation and Training Services to implement and update to the Animal Control System Program within the Town’s Dog Control Office for an amount not to exceed \$2,400.00 for the first year and six-hundred dollars (Annual Support and Maintenance Fees) each year thereafter, per their quote dated September, 2017 and which will be paid for with funds out of the Control of Dogs Professional Services Budget (Line Item 01-3510-410).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, after an annual inspection of the sprinkler systems located within the Town Hall, Westwood Park Pavilion, Senior Center and Youth Bureau it was discovered that they have equipment deficiencies that require immediate repair, and

**WHEREAS**, the Parks Crew Chief obtained price quotes for the sprinkler system improvements located within the Town Hall, Westwood Park Pavilion, Senior Center and Youth Bureau in accordance with the Town of Lancaster’s Procurement Policy, and

**WHEREAS**, by letter dated November 28, 2017, the Parks Crew Chief has recommended that the Town Board of the Town of Lancaster accept the proposals for the sprinkler system improvements from Davis-Ulmer Sprinkler Company, Inc., in the amount of \$6165.00 per their proposals dated November 13, 2017, and

**WHEREAS**, payment for these necessary improvements will come from funds available in the Buildings, Contractual Expenses Budget (Line Item 01-1620-0411).

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor of the Town of Lancaster to sign the proposals with Davis-Ulmer Sprinkler Company, Inc., 1 Commerce Drive, Amherst, New York 14228, to perform necessary improvements to the sprinkler systems located within the Town Hall, Westwood Park Pavilion, Senior Center and Youth Bureau, for an amount not to exceed \$6,165.00 per their proposals dated November 13, 2017 and which be paid for with funds available from the Buildings, Contractual Expenses Budget (Line Item 01-1620-0411).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Town of Lancaster provides Dog Control services to its residents as well as those in the Villages of Depew and Lancaster, and

**WHEREAS**, according to New York State Agricultural and Markets Law, Article 7 and Article 26 any dog may be put up for adoption after being held for the legal holding period as determined by the Law, and

**WHEREAS**, the Town of Lancaster entered into an agreement with the Erie County Society for the Prevention of Cruelty to Animals, a not-for-profit corporation beginning January 1, 2014 to provide adoption and euthanasia services for the seized and/or surrendered dogs within the Town of Lancaster which is now for renewal;

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Agreement, between the Town and the Erie County Society for the Prevention of Cruelty to Animals, d/b/a SPCA Serving Erie County, a not-for-profit corporation having offices located at 300 Harlem Road, West Seneca, New York 14224, to provide adoption, animal cruelty investigation and euthanasia services for the seized and/or surrendered dogs within the Town of Lancaster and hereby authorizes the Supervisor to execute said agreement which will commence January 1, 2018 and continue through December 31, 2018, at such time it shall automatically renew each consecutive year thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, the Town of Lancaster is required under U.S. Department of Transportation rules as contained in 49 CFR, Parts 40, 382, 391, 392 and 395 to have certain employees enrolled in a drug/alcohol testing program, and the Town also wishes to implement a drug testing program for certain other employees not subject to mandatory testing under federal law; and

**WHEREAS**, the Town has previously contracted with On-Site Employee Testing to conduct testing of Town employees in accordance with federal requirements; and

**WHEREAS**, after review by the Town Attorney, the Town Board has decided to renew the contract with On-Site Employee Testing in order to implement a comprehensive drug and alcohol testing program;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the contract with On-Site Employee Testing, as presented, in order to implement an employee drug and alcohol testing program at costs identified in the agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS,** the Highway Superintendent has submitted a proposed Agreement to the Town Board of the Town of Lancaster for the expenditure of highway funds for the year 2018, pursuant to the requirements of the Highway Law of the State of New York, and

**WHEREAS,** the Highway Superintendent has advised that the allocation of money in the proposed Agreement for general repairs to be carried out includes the cost of labor and materials, and

**WHEREAS,** the Town Board of the Town of Lancaster has reviewed the proposal by the Highway Superintendent;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds for the year 2018, as submitted by the Superintendent of Highways.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town Board previously duly advertised for bids for the purchase of One (1) new and unused **2018 Ford Transit 250 Low Roof Cargo Van**, for the use by the Highway Department, and

**WHEREAS**, one bid was received, opened and reviewed on November 27, 2017, and

**WHEREAS**, by letter dated November 27, 2017 Deputy Highway Superintendent, Louis Cacciotti has requested that the Town Board reject the bid due to failure of the bidder to calculate pricing correctly, and

**WHEREAS**, the Town Board, after due review and consideration has determined to execute its right reserved in the bid documents, to reject all bids received for the purchase of One (1) new and unused **2018 Ford Transit 250 Low Roof Cargo Van**.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby rejects all bids received for the purchase of One (1) new and unused **2018 Ford Transit 250 Low Roof Cargo Van**, for the use by the Highway Department, pursuant to the rights reserved to the Town in the bid documents and directs the Clerk to so advise the bidders and return any bid bond posted in accordance with the bid specifications.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, Louis Cacciotti, Deputy Highway Superintendent of the Town of Lancaster, by letter dated November 27, 2017 has requested authorization to solicit bids for the purchase of One (1) new and unused **2018 Ford Transit 250 Low Roof Long Cargo Van**, for the use by the Highway Department, and

**WHEREAS**, the Highway Department will be considering a trade-in allowance for a 2013 Ford Escape SE (Vin# 1FMCU9G96DUB16422 w/80,000 mi.) to offset the cost, and

**WHEREAS**, the purchase will be paid for with funds available from the Bond authorized on May 15, 2017 for Highway Equipment, and

**WHEREAS**, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York; and

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That Bids be received in the Office the Town Clerk by December 21, 2017, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) new and unused **2018 Ford Transit 250 Low Roof Long Cargo Van**, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

**LEGAL NOTICE**  
**TOWN OF LANCASTER**  
**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN**, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the 21<sup>st</sup> **day of December, 2017**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2018 Ford Transit 250 Low Roof Long Cargo Van**, for the use by the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE**  
**TOWN OF LANCASTER**

**BY: DIANE M. TERRANOVA**  
**Town Clerk**

December 7, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, Daniel Amatura, Lancaster Highway Superintendent has requested that the Town Board approve expending funds to purchase one (1) new and unused Scissor Lift 24-26’ Electric 30-36” Wide Skyjack SJIII to be used by the Highway Department; and

**WHEREAS**, the Highway Superintendent solicited three (3) price quotes for the purchase of one (1) new and unused Scissor Lift 24-26’ Electric 30-36” Wide Skyjack SJIII in accordance with the Town of Lancaster’s Procurement Policy; and

**WHEREAS**, by letter dated November 27, 2017, the Highway Superintendent has recommended that the Town of Lancaster authorize the purchase of a Scissor Lift 24-26’ Electric 30-36” Wide Skyjack SJIII from United Rentals, being the lowest responsible quote in the amount of \$12,864.93; and

**WHEREAS**, the purchase of the Scissor Lift 24-26’ Electric 30-36” Wide Skyjack SJIII will be paid for with funds available from the Bond authorized on May 15, 2017 for Highway Equipment.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, The Town Board of the Town of Lancaster hereby approves the purchase of one (1) new and unused **Scissor Lift 24-26’ Electric 30-36” Wide Skyjack SJIII** from United Rentals, 4811 Transit Road, Williamsville, New York 14221, in accordance with their quote dated November 2, 2017 (#151770863) for an amount not to exceed \$12,864.93 which will be paid for with funds available from the Bond authorized on May 15, 2017 for Highway Equipment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster, the Agreement for Professional Services, as presented, between the Town of Lancaster and TechNet Task Group, 41 Central Avenue, Lancaster, New York 14086 for design and project management services including the procurement and installation of an enhanced security system for the Town Hall located at 21 Central Avenue for a fee not to exceed \$3,500.00 per the terms and conditions listed in the agreement which will be paid for with funds available in the Town Hall Addition Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 4, 2017

## **COMMUNICATIONS & REPORTS**

- 776. LaFarge Great Lakes Region to Town Clerk –  
Information regarding Excavation of Sand and Gravel, Special Use Permit 2018.  
Disposition = Received & Filed**
- 777. John Mikoley to Town Board –  
Letter expressing interest in filling the vacancy on the Town of Lancaster Zoning  
Board of Appeals. Disposition = For Consideration**
- 778. Town Attorney to Town Clerk –  
Transmittal of Maintenance Bonds for Pavement & Curb, Storm Sewer and  
Water Line public improvements for Summerfield Farms – Phase 6, and request  
for resolution accepting P.I.P. No. 767 (Pavement and Curb), P.I.P. No. 768  
(Storm Sewer) and P.I.P. No. 769 (Water Line) for Summerfield Farms  
Subdivision – Phase 6. Disposition = Received & Filed**
- 779. Planning Board to Town Board –  
Recommend approval of site plan for Wreckmaster, 5550 Genesee St.,  
Proj. #2015; conditions noted. Disposition = Planning Committee**
- 780. Planning Board to Town Board –  
Recommend approval of site plan for Upstate Tower Co., LLC, 255 Peppermint  
Road, Proj. #2106. Disposition = Planning Committee**
- 781. Planning Board to Town Board –  
Recommend approval of site plan for Palma Tool & Die, 40 Ward Road,  
Proj. #3593. Disposition = Planning Committee**
- 782. Planning Board Chairman to Planning Board, Town Board, Engineering  
Consultant, Town Attorney, Highway Superintendent and Building Inspector –  
Draft copy of minutes from November 15, 2017 Planning Board meeting.  
Disposition = Planning Committee**
- 783. Town Engineer to Town Board –  
Recommend acceptance of Public Improvement Permit #767 for pavement &  
curbs, Public Improvement Permit #768 for storm sewer, and Public  
Improvement Permit #769 for water line for Summerfield Farms, Subdivision,  
Phase 6. Disposition = Resolution 12/4/17**
- 784. Town Engineer to Town Board –  
Recommend acceptance of Private Improvement Permit #773 for storm sewer  
and basin, Private Improvement Permit #772 for waterline, and Private  
Improvement Permit #771 for pavement & curb for Summerfield Farms,  
Phase 6 - Private. Disposition = For Resolution**
- 785. Code Enforcement Officer to Town Board –  
Recommend approval of Special Use Permit for 43 Greenmeadow Dr.;  
conditions noted. Disposition = For Resolution**
- 786. Jim Everett/Recreation Committee to Supervisor, Highway Superintendent, Park  
Crew Chief, Council Member Gaczewski, Dan Rinow, Dave Suttell, George Besch  
and Kevin Kelleher --  
2018 Recreation Commission Meeting Dates and January 17, 2018 Recreation  
Commission Meeting Agenda. = Received & Filed**
- 787. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept.,  
Division of Sewerage Management, NYSDOT and Erie County DEP –  
Designation of lead agency regarding Up State Tower Co. LLC, 255 Peppermint  
Road BUF-650, Proj. #2106. Disposition = Planning Committee**



788. Amy Jaworski, SPCA to Supervisor –  
Copy of revised 2018 agreement between the Town of Lancaster and the Erie County SPCA. Disposition = Resolution 12/4/17
789. Town Engineer to Town Board –  
Recommend acceptance of Public Improvement Permit #714 for sidewalks for Hidden Pines Phase 2. Disposition = Resolution 12/4/17
790. Town Clerk to Paul Marinaccio, PM Peppermint, Inc. –  
Special Use Permit for 2018 to excavate sand, gravel and stone aggregates at the site outlined. Disposition = Planning Committee
791. Town Clerk to Town Engineer and Building Inspector –  
Application for Dumping Permit for PM Peppermint Inc., 31 Peppermint Road. Disposition = Planning Committee
792. Town Clerk to Town Board –  
Copy of renewal application for a 2018 License to Operate a Salvage Yard for Ransom Auto Parts. Disposition = For Resolution
793. Ronald Rozler, Disaster Coordinator, to Supervisor and Town Board –  
Request for reappointment to the position of Emergency Management/Natural Disaster Services Coordinator for the Town of Lancaster. Disposition = For Resolution
794. Elizabeth A. Holmes, Barclay Damon to Supervisor and Town Board –  
Request for Deep South Taco site plan to be placed on the Town Board agenda for final approval at the next available meeting. Disposition = Resolution 12/4/17
795. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDOT regarding Summerfield Farms 8, South of William Street, Proj. #3041. Disposition = Planning Committee
796. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Environment & Planning regarding Rezone 0 Broadway, from R-1 to MFR-3, Plumb Creek Patio Homes. Disposition = Planning Committee
797. Supervising Code Enforcement Officer to Town Board –  
Recommend Special Use Permit be renewed for 2018 on a probationary condition for Superior Pallets, Inc., 3981 Walden Avenue. Disposition = For Resolution
798. Code Enforcement Officer to Town Board –  
Recommend issuance of Dumping Permit for PM Peppermint Inc., 31 Peppermint Road; conditions noted. Disposition = Resolution 12/4/17
799. Jean Karn, Lancaster Dog Control to Supervisor and Town Board –  
Request for BAS system for Dog Control Office. Disposition = Resolution 12/4/17
800. Park Crew Chief to Town Board –  
Request for resolution for Davis-Ulmer Sprinkler Inc., One Commerce Dr., Amherst, NY to repair the deficiencies on the sprinkler systems at Westwood Park Pavilion, Town Hall, Senior Center and Youth Bureau as per their annual obstruction investigation. Disposition = Resolution 12/4/17
801. Park Crew Chief to Supervisor and Town Board –  
Request for resolution to adjust the rate of pay for four employees effective December 4, 2017, due to the minimum wage increase. Disposition = Resolution 12/4/17

802. **Park Crew Chief to Supervisor and Town Board –**  
Request for resolution to appoint Anthony Guarino to the position of part-time permanent employee for the fall/winter 2017-2018 in the Parks, Recreation & Forestry Dept. Disposition = Resolution 12/4/17
803. **Jack Domin to Town Board –**  
Request for permission to plant a tree in honor of past Supervisor Bob Giza at Westwood Park with the guidance of Parks & Recreation Dept.  
Disposition = Town Attorney – For Resolution, Park Crew Chief
804. **Highway Superintendent to Town Board –**  
Request for resolution to purchase one new and unused Scissor Lift 24-26' Electric 30-36" Wide Skyjack SJH 3226 from United Rentals, 4811 Transit Road, Williamsville, NY. Disposition = Resolution 12/4/17
805. **Deputy Highway Superintendent to Town Board –**  
Request for Town Board to authorize publication of a (re)bid for one new and unused 2018 Ford Transit 250 Low Roof Long Cargo Van.  
Disposition = Resolution 12/4/17
806. **Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer and Town Clerk –**  
Notice of SEQR Review for Site Plan Wreckmaster, 5550 Genesee St. on Monday December 4, 2017 at 6:15PM. Disposition = Planning Committee
807. **Town Clerk to Various News Media –**  
Notice of meeting of Municipal Review Committee for the SEQRA Review: Wreckmaster, 5550 Genesee St. on Monday, December 4, 2017 at 6:15PM.  
Disposition = Received & Filed
808. **Town Engineer to Town Board –**  
Recommend approval to extend the Completion Date of contract with Concrete Applied Technologies Corp. (CATCO) for Highway Capital Improvements Project, Old Post Road, Erie Street, Maple Drive, Lake Ave. - Town of Lancaster; conditions noted. Disposition = Town Attorney For Resolution
809. **Town Engineer to Town Board –**  
Recommend approval of two Change Orders for Highway Capital Improvements Project: Old Post Road, Erie Street, Maple Drive, Lake Ave. – Town of Lancaster. Disposition = For Resolution
810. **Highway Superintendent to Town Board –**  
Agreement to Spend Highway Funds. Disposition = Resolution 12/4/17
811. **Supervising Code Enforcement Officer to Town Board –**  
Recommend renewal of Special Use Permit for 1230 Townline Road, Greg's Tree Service. Disposition = Planning Committee For Resolution
812. **Supervising Code Enforcement Officer to Town Board –**  
Recommend renewal of Special Use Permit for topsoil shredding for 31 Peppermint Road, PM Peppermint.  
Disposition = Planning Committee For Resolution
813. **Supervising Code Enforcement Officer to Town Board –**  
Recommend renewal of Special Use Permit for mulching, shredding and processing for 6140 Genesee Street, MJJ Property Management, LLC.  
Disposition = Planning Committee For Resolution
814. **Supervising Code Enforcement Officer to Town Board –**  
Recommend issuance of License to Operate a Salvage Yard for 2018 to Ransom Auto Parts, 867 Ransom Road. Disposition = For Resolution

- 815. Supervising Code Enforcement Officer to Town Board –  
Recommend issuance of License to Operate a Salvage Yard for 2018 to  
Advantage Trucks.com LLC, 933 Ransom Road. Disposition = For Resolution**
- 816. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**
- 817. Kenneth E. Graber to Town Board –  
Request for re-appointment as Town Prosecutor. Disposition = For Resolution**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY  
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned at  
7:51 P.M.

Signed\_\_\_\_\_

Diane M. Terranova, Town Clerk